

**REMARKS**

The present supplemental amendment is responsive to the Office Action dated January 20, 2004, the telephone interview between the Examiner and John P. Maldjian on June 23, 2004 and the Notice of Non-Compliant Amendment dated July 12, 2004.

Independent claims 1 and 4 have been amended to recite "and the allocation is performed for a selected program with reference to a relative time within a selected time slot." Also, the amendments to claims 1,4 and 6 in the Supplemental Amendment dated June 24, 2004, which were deemed "non-compliant" are also presented in redlined format. No new matter has been added by these amendments. Support for the amendments can be found, for example, in paragraphs 0096-0103 of the instant application.

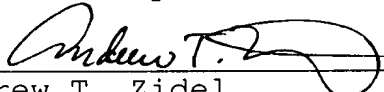
Applicant reiterates the arguments set forth in the April 14, 2004 amendment with regard to the deficiencies of U.S. Patent No. 6,542,169 ("*Marshall*"). Furthermore, while *Marshall* provides a display showing program times in set increments (see col. 3, lns. 55-62 and col. 5, lns. 1-5), it does not disclose, teach or suggest the additional limitations of the present amendment. Therefore, because *Marshall* lacks a disclosure or teaching of all of the elements of independent claims 1 and 4, applicant respectfully requests reconsideration and allowance these claims as currently amended. Claims 2-3 and 5-6 depend from claims 1 and 4, respectively, and contain all of the limitations thereof as well as other limitations that are neither disclosed nor suggested by the prior art of record. Accordingly, applicant submits that the dependent claims are likewise patentable.

As it is believed that all of the rejections set forth in the Office Action and the Notice have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 12, 2004

Respectfully submitted,

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